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PRESS RELEASE

THURSDAY SEPTEMBER 26, 2024

LAWSUIT FILED FRIDAY, SEPTEMBER 20, 2024, AGAINST COMPASS GROUP, USA, INC. AND CROTHALL HEALTHCARE, WHO PROVIDE HOSPITAL CLEANING SERVICES FOR DETROIT MEDICAL CENTER AND CHILDREN'S HOSPITAL OF MICHIGAN, ALONG WITH CROTHALL HEALTHCARE GENERAL MANAGER KIMBERLY MULLINS, ASSISTANT DIRECTOR TERESA THOMSON, AND REGIONAL OPERATIONS DIRECTOR TRAVIS LEAP, TO HOLD THEM ACCOUNTABLE FOR WHISTLEBLOWER VIOLATIONS, DISCRIMINATION, AND RETALIATION.

2024-013721-CD

JERRELL ATKINS V. COMPASS GROUP, USA, INC, ET AL
WAYNE COUNTY CIRCUIT COURT
HONORABLE CATHERINE L. HEISE

After an investigation by attorneys Muneeb M. Ahmad and Syed Hussain Akbar of Just Right Law, it was determined that this lawsuit is justified and supported by the evidence, and the Defendants deserve to be sued and will be held accountable. As further set forth in the lawsuit, the evidence determined:

1. Compass Group, which owns Crothall Health (“Compass and Crothall”), a subcontractor of Tenet, which owns and operates the Detroit Medical Center (“DMC”), has been providing environmental services/housekeeping to Harper Hutzell Hospital since 2019,
2. Prior to Compass and Crothall taking over the environmental services for Tenant at DMC, housekeepers would have unlimited supplies to properly sanitize and clean.
3. However, since Tenet hired Compass and Crothall to take over environmental services at DMC in 2019, Compass and Crothall have been knowingly violating health and safety rules to boost profits at DMC while operating Harper Hutzell hospital in an unsanitary condition that shocks the conscience.
4. Over the past few years, numerous staff members complained to Compass and Crothall management about the lack of cleaning supplies and terminal cleaning, even going as far as to make reports to the Michigan Occupational Safety and Health Administration (MIOSHA), leading to a fine from MIOSHA.



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These public safety hazards included, but were not limited to:

1. Refusal to provide adequate cleaning supplies to sanitize the hospital wherein there has been a consistent lack of hospital grade cleaning supplies and clean working equipment to sterilize surgical operating rooms and patient rooms.
2. Due to the extreme cost cutting measures to boost profits, Compass and Crothall have refused to provide enough rags, mops, and other essential supplies to sanitize patient rooms and surgical operating rooms.
3. Compass and Crothall have knowingly refused to properly sanitize or sterilize DMC surgical operating rooms and have violated their Certificate of Participation pledge to run sanitary operating rooms in order to bill Medicare/Medicaid. There is compelling evidence showing:
 - a. Unsterile and dirty machinery and equipment used to clean up feces and raw sewage, is being used in surgical operating rooms exposing patients to life threatening infections and disease;
 - b. Old and corroded blood uncleaned in surgical operating rooms where c-sections are performed to deliver babies daily; and
 - c. Urine and blood pathogens on floors, which have not been properly sanitized for extended periods of time.

Instead of taking corrective measures to ensure patient health and safety, these complaints went ignored and were met with disdain by Compass and Crothall, who:

1. Continue to keep cleaning supplies in short supply;
2. Falsified records regarding cleaning practices and broken cleaning equipment; and
3. Harassed and terminated employees who made MIOSHA complaints or otherwise blew the whistle on Compass and Crothall's unlawful conduct.

Plaintiff Whistleblower in this case, not only reported these health and safety concerns to Compass and Crothall and Tenet/DMC, but also:



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1. Participated in an internal investigation conducted by Compass and Crothall's attorneys that confirmed the health and safety concerns and Compass and Crothall's retaliatory conduct;
2. Reported the health and safety concerns to MIOSHA; and
3. Provided damning testimony against Compass and Crothall about their unlawful discriminatory and retaliatory practices in another whistleblower lawsuit arising out of the same health and safety concerns.

In response, Compass and Crothall and their upper-level management team retaliated against Plaintiff Whistleblower, by among other things:

1. Creating and fostering a retaliatory and discriminatory hostile work environment directed at Plaintiff Whistleblower, an African American homosexual male, by subjecting him to:
 - a. Racially discriminatory and derogatory remarks and slurs referring to African American employees as "N**ers" and "Monkeys."
 - b. Sexually discriminatory and derogatory remarks and slurs referring to homosexuals as "F*gs", *F**ots and "Homos"; and
 - c. Ridicule based on his own sexual orientation.
2. Subjecting him to unjustified disciplinary actions; and
3. Wrongfully terminating his employment.

The evidence confirms that Compass and Crothall's discriminatory and retaliatory conduct was intended to provide a chilling effect on any other employee who may consider blowing the whistle on Compass and Crothall continued health and safety concerns.

A copy of the Complaint that was filed with the Wayne County Circuit Court on Friday September 20, 2024, is attached to this press release for further consideration.

This lawsuit is in direct response to Defendants' concerted effort to intentionally retaliate and discriminate against Whistleblowers, like Plaintiff, who only wished to ensure the health, safety, and welfare of the public.

This lawsuit is just part of a sharp blade that is being used to eradicate the cancerous culture of profits over safety fostered by Compass and Crothall. This lawsuit is a beacon of hope to other



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employees who may be afraid to speak up and is meant to give a voice against this retaliatory and discriminatory behavior.

We respectfully request the press to share this information with the public. We ask anyone subjected to retaliation or discrimination by Compass Group, USA, Inc., Crothall Healthcare, Regional Operations Manager Director Travis Leap, Assistant Director Teresa Thomson, and General Manager Kimberly Mullins, or anyone with information about this case to contact us.

JUST RIGHT LAW

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**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

JERRELL ANTHONY ATKINS, *an individual*,

Plaintiff,

Case No.: 2024-_____CD
Honorable

vs

COMPASS GROUP USA, INC.,
a foreign for-profit corporation,
CROTHALL HEALTHCARE,
a foreign for-profit corporation,
TRAVIS LEAP, an individual,
TERESA THOMAS, an individual, and
KIMBERLY MULLINS, an individual,
Jointly and severally,

Defendants.

<p>MUNEEB M. AHMAD (P70391) SYED HUSSAIN AKBAR (P67967) AHMAD & AKBAR LAW, PLLC Attorneys for Plaintiff 811 N. Main Street, Suite 106 Royal Oak, MI 48067-1825 Tel. (248) 519-2313 /Fax: (248) 519-2399</p>	
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PLAINTIFF COMPLAINT AND JURY DEMAND

This case arises out of the same occurrence as alleged in a previously resolved Complaint between the Defendants (but not Plaintiff) involving some of the same subject matter of the Case assigned to the Honorable Catherine L. Heise, under Case Number 23-000105-CD.

NOW COMES Plaintiff JERRELL ATKINS and, by and through his undersigned counsel, AHMAD & AKBAR LAW, PLLC, d/b/a JUST RIGHT LAW, and for his Complaint against Defendants COMPASS GROUP U.S.A., INC, a foreign for-profit corporation, CROTHALL HEALTHCARE, a foreign for-profit corporation, TRAVIS LEAP, an individual,
09.20.24 J. Atkins Complaint, p. 1

TERESA THOMAS, an Individual, and KIMBERLY MULLINS, an Individual, hereinafter states as follows:

PARTIES

1. Plaintiff JERRELL ATKINS (hereinafter referred to as “Plaintiff Atkins”) is a resident of the County of Wayne, State of Michigan.

2. Defendant COMPASS GROUP U.S.A., INC (hereinafter referred to as “Compass”) is a foreign for-profit corporation with headquarters at 2400 Yorkmont Rd Charlotte, NC, 28217-4511, with multinational operations doing business under numerous names and subsidiaries in the United States.

3. Defendant CROTHALL HEALTHCARE (hereinafter referred to as “Crothall”), is a foreign for-profit corporation, with its headquarters located at 2400 YORKMONT ROAD CHARLOTTE, NC 28217 USA.

4. Upon information and belief, Defendant Crothall is a subsidiary, affiliate or is controlled by Defendant Compass (hereinafter collectively referred to as “Defendants Compass/Crothall”).

5. Defendant TRAVIS LEAP (hereinafter referred to as “Leap”) is a resident of Wayne County, Michigan and upon information and belief, all times relevant was, and currently still is, a Regional Operations Director for Defendants Compass/Crothall.

6. Defendant TERESA THOMAS (hereinafter referred to as “Thomson”) is a resident of Wayne County, Michigan and, upon information and belief, all times relevant, was, and currently still is, an Assistant Director for Defendants Compass/Crothall.

7. Defendant KIMBERLY MULLINS (hereinafter referred to as “Mullins”) is a resident of Wayne County, Michigan and, upon information and belief, all times relevant,

was, and currently still is, a General Manager and/or a Director for Defendants Compass/Crothall.

8. Defendants Mullins, Thomson, and Leap collectively (hereinafter collectively referred to as “Defendant Managers”) worked together to cover up the violations and to target employees who spoke up about safety concerns and violations.

JURISDICTION AND VENUE

9. This lawsuit addresses corporate Defendants Compass/Crothall and individual Defendants Mullins, Thomson, and Leap collectively (hereinafter collectively referred to as “Defendants”), blatant and willful violations of public health and safety standards at Harper-Hutzel Hospital and Children’s Hospital of Michigan, which are part of the Detroit Medical Center (“DMC”) that is owned and operated by non-party Tenet Health System (hereinafter “Tenet”) (hereinafter collectively referred to as “Tenet/DMC”), as well as Defendants’ other violations of law, including but not limited to violations of the Michigan’s Whistleblowers’ Protection Act, MCL 15.361, et. seq., Michigan’s Elliott-Larsen Civil Rights Act, MCL 37.2101, et. seq; and Michigan’s Bullard-Plawecki Employee Right to Know Act, MCL 423.501, et. seq.

10. This instant action arises out of similar transactions and occurrences as alleged by LaTonya Moore (“Moore”) against these Defendants in *LaTonya Moore v. Compass Group USA, Inc, et al* that was filed in the Wayne County Circuit Court, under Case No.: 23-000105-CD, which was before the Honorable Catherine L. Heise, and which is no longer pending (hereinafter referred to as “Moore’s Whistleblowers’ Action”).

11. In addition, this instant action also arises out of similar transactions and occurrences as alleged by Plaintiffs’ Denise Bonds (“Bonds”) and Shenesia Rhodes (“Rhodes”) (hereinafter collectively referred to as “Bonds & Rhodes”) against these Defendants and Tenet Healthcare

Corporation, VHS of Michigan Inc., d/b/a Detroit Medical Center and VHS Harper-Hutzel Hospital, Inc, in the case captioned as *Bonds et al v. Compass Group, et al* that is currently pending in the United States Eastern District Court for the State of Michigan, Southern Division, under Case No.: 22-cv-11491-FKB-CI, before the Honorable District Judge F. Kay Behm (hereinafter referred to as the “Bonds & Rhodes Federal Whistleblowers’ Action”).

12. Specifically, jurisdiction in this Honorable Court is proper as Plaintiff Atkins’ claims arise out of Defendants’ violations of the law with regard to retaliation in violation of Michigan’s Whistleblowers Protection Act, MCL 15.361 because Plaintiff:

- a. Reported to Defendants and other public bodies unsafe, unsanitary, and dangerous conditions which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- b. Participated in an investigation and provided damning evidence against Defendants about the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- c. Complained to the Michigan Occupational Safety and Health Administration (“MIOSHA”) about the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- d. Testified against Defendants as to their knowledge of the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses; and
- e. Testified against Defendants as to their unlawful discrimination, hostile environment and retaliatory practices.

13. Jurisdiction is also proper in this Honorable Court as Plaintiff Atkins also brings forth claims against Defendants for discrimination and retaliation based on his race and sexual orientation, in violation of Michigan’s Elliott-Larsen Civil Rights Act, M.C.L.A., 37.2101, et seq.

14. Additionally, this Honorable Court also has jurisdiction in this matter as Defendants Compass/Crothall have violated Michigan's Bullard-Plawecki Employee Right to Know Act, MCL§ 423.501, *et. seq.*, when they failed to provide Plaintiff Atkins with his complete personnel records.

15. By way of this instant action, Plaintiff Atkins seeks legal and equitable relief against Defendants for illegally being subject to wrongful disciplinary actions, being wrongfully terminated, and being subject to intentional infliction of emotional distress, and discrimination on the basis of race and sexual orientation.

16. The jurisdiction and venue of this instant action and this Honorable Court is proper as all of the events giving rise to this instant action occurred in Wayne County, Michigan.

17. The jurisdiction and venue of this instant action and this Honorable Court is proper as the amount in controversy is more than Twenty-Five Thousand (\$25,000) Dollars, exclusive of costs, interest and attorney fees.

FACTUAL ALLEGATIONS

18. Plaintiff Atkins hereinafter incorporates by reference the above stated Paragraphs and allegations therein as though fully set forth herein.

19. Upon information and belief, Harper-Hutzel Hospital and Children's Hospital of Michigan are located in the center of the City of Detroit, where the entire community relies on their services, from neighborhoods to everyday people who work in the downtown area.

20. Upon information and belief, if anyone is in the downtown vicinity or near these hospitals and has a medical emergency an ambulance is likely to rush them to one of these hospitals.

21. Upon information and belief, prior to 2019, Sodexo provided environmental services to Tenet/DMC.

22. Plaintiff Atkins began working for Sodexo in 2013 as an Environmental Service Worker prior to working for Defendants Compass/Crothall.

23. When Sodexo had the Tenet/DMC contract, Plaintiff Atkins and his co-workers never ran out of supplies and had enough cleaning supplies, rags, mops, and essentials to properly sanitize patient rooms and operating rooms, per the established Sodexo protocols, and regulations.

24. Upon information and belief, under Sodexo, employees were expected to use hospital-grade cleaning products and separate rags and mops in order to avoid cross-contamination of areas. For example, the rags used to clean the bathrooms were not used to clean patient beds.

25. Discharges got elevated cleaning.

**DEFENDANTS COMPASS/CROTHALL TAKE OVER THE CONTRACT TO PROVIDE
ENVIRONMENTAL SERVICES FOR TENET/DMC**

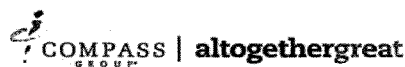
26. Upon information and belief, at all times relevant herein, Tenet contracted with, and still today contracts with, Defendants Compass/Crothall to provide environmental services across the country.

27. Upon information and belief, in late September 2019, Tenant/DMC hired Defendants Compass/ Crothall to take over Environmental Service operations at DMC's hospitals from Sodexo.

28. As a result of Defendants Compass/Crothall assuming the Tenet/DMC contract, Plaintiff Atkins was employed by Defendants Compass/Crothall.

29. Defendants Compass/Crothall represented to Plaintiff Atkins and its other employees, including but not limited to, Moore, Bonds and Rhodes, that they would honor the terms of the Collective Bargaining Agreements (CBA) executed by Sodexo and Tenet/DMC.

30. In late 2019, Defendants Compass/Crothall presented their Code of Business Conduct Golden Rules to Plaintiff Atkins and its other employees, including but not limited to, Moore, Bonds and Rhodes, which state:



CODE OF BUSINESS CONDUCT GOLDEN RULES

1. Health and safety is our number one priority – make sure it is your number one priority too.
 2. Corruption, bribery or any illegal activity of any kind is strictly prohibited.
 3. Treat your colleagues fairly and without discrimination.
 4. Always be professional, polite, honest and transparent when dealing with clients, customers, suppliers and colleagues.
 5. Don't undertake ethically questionable business practices.
- All associates are expected to comply with the Compass Code of Ethics and Code Business Conduct that is available at: <http://www.compass-usa.com/mission-vision/>
 - If you have any questions speak to your manager or use "Speak Up" (866-654-6626 or <https://www.compass-speakup.com/>)

31. Sometime around April 2021, Defendants Compass/Crothall promoted Plaintiff Atkins to Operations Manager Level II (hereinafter "Operations Manager").

32. Throughout his employment, Plaintiff Atkins has followed these Golden Rules by reporting violations to Defendants.

33. However, Defendants have violated their own Golden Rules.

**DEFENDANTS INTENTIONALLY CUT CORNERS
IN ORDER AND PUT PROFITS OVER PATIENT SAFETY**

34. Upon information and belief, after being hired by Tenet/DMC, Defendants Compass/Crothall began to implement cost-saving measures that resulted in abusive tactics causing unsanitary hospital conditions.

35. Defendants Compass/Crothall sought to avoid spending money on supplies.

36. These cost-cutting measures have been extreme, and Defendants have caused the DMC hospitals to become unsanitary and unsafe.

37. Defendants intentionally kept the cleaning supplies short to make profits even when it meant the hospital became unsanitary and unsafe.

38. The cleaning protocols changed from best practices with Sodexo to deplorable and substandard with Defendants Compass/Crothall.

39. Plaintiff Atkins has knowledge about how the cleaning and sanitization priorities changed from Sodexo to Defendants Compass/Crothall.

40. Defendants overwhelmed housekeepers with unreasonable expectations and required them to do additional work because the nursing staff was also kept in short supply.

41. As the Operations Manager, Plaintiff Atkins was responsible, on occasion, for managing employees, including but not limited to, Moore, Bonds, and Rhodes, and was also responsible for overseeing the sanitization of operating rooms, recovery rooms, bathrooms, operating rooms for baby deliveries, heart hospital labs, and more.

42. Defendants intentionally, negligently, and recklessly continued to provide insufficient trash bags, toilet rolls, paper towels, rags, mops, and cleaning supplies solutions to Plaintiff Atkins and Defendants' other employees, including, but not limited to, Moore, Bonds and Rhodes, which resulted in unsanitary conditions.

43. Mops and rags went from unlimited supply to insufficient to do the job properly.
44. Cleaning solutions that are “hospital-grade” were always out of stock.
45. Operating and procedure rooms were not getting daily terminal cleaning.
46. Patients were left in vulnerable positions in patients’ areas with no toilet paper, no soap, and other essential supplies that were unavailable.
47. Upon information and belief, Defendants worked together and were unwilling to spend money to meet minimum requirements, yet they helped Tenet/DMC stay open to the public for business.
48. Defendants worked together to violate MIOSHA rules and falsified documentation regarding the same, and falsified documents regarding training and cleaning records.
49. Essentially, Defendants were concerned with making money over saving lives.
50. Upon information and belief, Defendants knowingly and recklessly worked with Tenet/DMC to violate health and safety standards, rules, regulations, and laws designed to protect the public.

DEFENDANTS’ EMPLOYEES BLOW THE WHISTLE ON DEFENDANTS DANGEROUS AND UNSAFE ENVIRONMENTAL PRACTICES THAT ENDANGERED THE PUBLIC

51. Throughout Plaintiff Atkins’ employment with Defendants, Plaintiff Atkins was well aware that other employees, including, but not limited to, Moore, Bonds and Rhodes, reported multiple, significant violations of health and safety standards, rules, regulations, and laws at Harper Hutzell Hospital to:

- a. Defendant Managers;
- b. Defendants Compass/Crothall;
- c. Tenet/DMC; and
- d. Michigan’s Occupational Safety and Health Administration;

52. Among other things, Plaintiff Atkins was aware that the violations of health and safety standards, rules, regulations, and laws there were reported by Moore, Bonds and Rhodes to Defendants, Tenet/DMC officials, and the Michigan Occupational Safety and Health Administration, included, but were not limited to:

- a. Insufficient or no hospital-grade cleaning solutions, rags, mops, and other essential supplies available for employees to perform cleaning;
- b. Employees being forced to use brown recyclable paper towel such as “Tork” to clean and sanitize the hospitals;
- c. Operating rooms, patient rooms, and delivery rooms being unsanitary due to lack of supplies and no terminal cleaning being properly conducted on a daily basis as required by law.
- d. Blood and urine not properly being cleaned and sanitized due to the extreme cost-cutting measures mandated by Defendants; and
- e. Operating rooms where newborn babies are delivered normally or by c-section not being thoroughly cleaned.

53. Even after being notified of these violations of health and safety standards, rules, regulations, and laws, Defendants failed to take any corrective action.

**DEFENDANTS RETALIATE AGAINST ITS OWN EMPLOYEES
TO DETER WHISTLEBLOWING ACTIVITIES**

54. Contrary to their websites, hotlines, compliance lines, and written policies, Defendants Compass/Crothall have a reputation, history, and modus operandi of retaliating against employees who dare to speak up about safety concerns in order to deter others from making similar reports.

55. To this end, Defendants have a history of putting together sham employee reviews to justify terminating good employees.

56. Defendants followed this modus operandi and after Moore, Bonds and Rhodes reported violations of health and safety standards, rules, regulations, and laws at Harper Hutzell
09.20.24 J. Atkins Complaint, p. 10

Hospital to Defendants, Tenet/DMC, and Michigan's Occupational Safety and Health Administration, Defendants worked together to retaliate against them.

57. To this end, around June of 2022, Defendants terminated Bonds & Rhodes, who were union stewards.

58. Thereafter, Bonds & Rhodes instituted their Federal Whistleblowers' Action against Defendants.

59. After having learned that Bonds & Rhodes instituted their Federal Whistleblowers' Action, Defendants sought to get their ducks in a row and do some immediate damage control.

60. Plaintiff Atkins was requested by Defendants' attorneys to participate in an interview regarding the claims raised in the Bonds & Rhodes Federal Whistleblowers' Action.

61. However, Defendant Managers instructed management staff to avoid communicating and responding to Defendants attorneys inquiries about the Bonds & Rhodes Federal Whistleblowers' Action.

62. Despite his fear of retaliation, Plaintiff Atkins reluctantly acquiesced to this request after Defendants Compass/Crothall's Human Resources representative instructed Plaintiff Atkins that he must participate.

63. During the interview, Defendants, by and through their attorneys, asked Plaintiff Atkins about the adequacy of supplies, working conditions, health and safety concerns and retaliatory conduct that was alleged by Bonds & Rhodes in their Federal Whistleblowers' Action.

64. Plaintiff Atkins responded by confirming the health and safety concerns raised by Bonds & Rhodes, and further confirmed his opinion that Bonds & Rhodes were retaliated against

by Defendants for reporting the violations of health and safety standards, rules, regulations, and laws.

65. Plaintiff also revealed that he was actually encouraged by his Defendant Mullins to help get Bonds & Rhodes fired but refused to do so.

66. Further Plaintiff also notified Defendants attorneys how he believed that Travis Leap was behind the retaliation to which Bonds & Rhodes were subjected to.

67. Even after Bonds & Rhodes instituted their Federal Whistleblowers' Action, Defendants refused to take corrective measures to properly sanitize the hospital, and the same delivery rooms continued to remain unsanitary.

68. To make matters worse, instead of addressing the issues, Defendants instead decided to do the following to cover up the health and safety concerns:

- a. Instead of performing terminal cleaning, Defendants began to falsify documentation to falsely show that they were doing adequate cleaning; and
- b. Instead of fixing essential equipment necessary to ensure the health and safety of the public, Defendant falsified the history of when the equipment broke down and never even fixed or replaced essential equipment.

69. The lack of supplies to clean patient rooms and operating and procedure rooms was shockingly outrageous and, in some instances, possibly criminal.

DEFENDANTS START THEIR RETALIATION CAMPAIGN AGAINST PLAINTIFF TO DETER HIM FROM BECOMING A WHISTLEBLOWER

70. A few weeks after Plaintiff Atkins' interview and meeting with Defendants' attorney and after he reported his own health and safety concerns and expressed his opinion that Defendants had in fact retaliated against Bonds & Rhodes, Defendants began intimidating and retaliating against Plaintiff Atkins in order to send him a message to stop speaking out against Defendants.

71. Plaintiff was subjected to discipline, wherein Defendants falsely claimed that Plaintiff had allegedly violated company protocols, to which Plaintiff vehemently objected.

72. Further, Defendants began to create a false narrative in an attempt to portray Plaintiff as unprofessional and even falsified Plaintiff's HR records by creating subjective violations using selective enforcement.

73. Plaintiff contacted Human Resources and complained about the unjustified disciplinary actions, which complaints fell on deaf ears.

74. Further despite previously being promised a raise Defendants failed to honor their promise and refused to give him his pay increase.

**DEFENDANTS' WRONGFULLY TERMINATE MOORE FOR REPORTING
CONTINUED HEALTH AND SAFETY VIOLATIONS TO MIOSHA**

75. Plaintiff Atkins was also aware that Moore had reported Defendants' continued health and safety violations to Michigan's Occupational Safety and Health Administration ("MIOSHA") and even took a stand against Defendant Managers by telling them that she was going to report them to MIOSHA for the continuation of violations.

76. Indeed, Moore had filed complaints with MIOSHA about the lack of supplies starting in June 2022:




General Industry Safety and Health Construction Safety and Health

NOTICE OF ALLEGED SAFETY OR HEALTH HAZARDS

Complaint Number:			
It is unlawful to make any false statement, representation or certification in any document filed pursuant to the Michigan Occupational Safety and Health Act of 1974, as amended. Violators can be punished by a fine of not more than \$10,000, or by imprisonment of not more than six months, or by both (Section 35(7)).			
<input checked="" type="checkbox"/> I have read the statement above and agree that the information I am submitting on this complaint is truthful and accurate to the best of my knowledge.			
Establishment Name:	Crothall Healthcare		
Worksite Address: (Street, City, State, Zip)	3990 John R. St. Detroit, MI 48201		
	Site Phone:	313-745-8040	Site Fax:
Employer Mailing Address: (if different from worksite)	1500 Liberty Dr. #210 Wayne, PA 19087		
	Mail Phone:	800-447-4476	Mail Fax:
Management Official:	Kim Mullins	Telephone:	734-833-1511
Type of Business:	Healthcare		
HAZARD DESCRIPTION/LOCATION. Briefly describe the hazards you believe exist. Include the approximate number of employees exposed to or threatened by each hazard. Specify the particular building or worksite where the alleged violation exists.			
Harper Hospital has been exposed of the Candida Auris Fungal. Crothall Healthcare of The Environmental Service Technician Department has not informed employees of the Fungal outbreak. Crothall Healthcare has not provided effective training on how to clean a Fungal room; employee's does not have the PROPER PPE. Crothall Healthcare has not provided employees of Proper PPE. Supplies are always out, and we don't have enough supplies to do adequate sanitization. Now with this new danger I believe Crothall needs to Provide Proper training, unlimited supplies, and inform its employees of the dangers so they can protect the patients and their families when they go home. To date Crothall management has been retaliating against me and anyone who raises common sense concerns to the hospital and Osha. PLEASE HELP FIX THESE PROBLEMS.			
Has this condition been brought to the attention of:	<input checked="" type="checkbox"/> Employer <input type="checkbox"/> Other Government Agency (specify)		
Please indicate your desire:	<input checked="" type="checkbox"/> I do NOT want my name revealed to the employer. <input type="checkbox"/> I want my name revealed to the employer.		
The undersigned believes that a violation of an occupational safety or health standard exists which is a job safety or health hazard at the establishment named on this form.	Check ONE box. <input checked="" type="checkbox"/> Current Employee <input type="checkbox"/> Representative of employees <input type="checkbox"/> Former employee, last date worked: <input type="checkbox"/> Other (specify):		
Complainant Name:	LaTonya Moore	Telephone:	313-671-2870
Signature:	e-signature checked	Date:	6/25/2022 12:27:08 PM
Please indicate how you would like the results of your complaint to be sent to you. Mail results			
15004 Detroit, MI 48205 Email: moorelatonya20@yahoo.com			
If you are an authorized representative of employees affected by this complaint, please state the name of the organization that you represent and your title.			
Organization Name:		Your Title:	
MIOSHA -7a (rev.12/20)	The Department of Labor and Economic Opportunity will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.		
Completion: Voluntary			

77. Moore also filed complaints with MIOSHA about Defendants Compass/Crothall not following safety rules regarding “fit tests” designed to protect front-line employees from Covid 19 exposure:

Michigan Department of Labor and Economic Opportunity
Michigan Occupational Safety and Health Administration
www.michigan.gov/miosha



General Industry Safety and Health Construction Safety and Health

NOTICE OF ALLEGED SAFETY OR HEALTH HAZARDS

Complaint Number:	
It is unlawful to make any false statement, representation or certification in any document filed pursuant to the Michigan Occupational Safety and Health Act of 1974, as amended. Violators can be punished by a fine of not more than \$10,000, or by imprisonment of not more than six months, or by both (Section 35(7)).	
<input checked="" type="checkbox"/> I have read the statement above and agree that the information I am submitting on this complaint is truthful and accurate to the best of my knowledge.	
Establishment Name:	Crothall Healthcare
Worksite Address: (Street, City, State, Zip)	3990 John R. St Detroit, MI 48201
	Site Phone: 313-745-8040 Site Fax:
Employer Mailing Address: (if different from worksite)	1500 Liberty Dr. #210 Wayne, PA 19087
	Mail Phone: 800-447-4476 Mail Fax:
Management Official:	Kimberly Mullins Telephone: 734-833-1511
Type of Business:	Healthcare
HAZARD DESCRIPTION/LOCATION. Briefly describe the hazards you believe exist. Include the approximate number of employees exposed to or threatened by each hazard. Specify the particular building or worksite where the alleged violation exists.	
Crothall Healthcare has violated the MIOSHA rules. By not providing N95, fit testing the proper way, now employees are told to re-fit test, because it was not done the proper way or not done at all. I am one who has not been fit test for a N95. Crothall Healthcare is responsible for medical evaluation before the worker is fit -tested. Crothall Healthcare did not perform an appropriate fit testing. Never trained putting on or taking off the N95, or how to take care of the mask, how long to keep the N95. Crothall Healthcare did not provide effective training. Profit over safety is an issue.	
Has this condition been brought to the attention of:	<input checked="" type="checkbox"/> Employer <input type="checkbox"/> Other Government Agency (specify) Crothall Healthcare has been informed numerous
Please indicate your desire:	<input checked="" type="checkbox"/> I do NOT want my name revealed to the employer. <input type="checkbox"/> I want my name revealed to the employer.
The undersigned believes that a violation of an occupational safety or health standard exists which is a job safety or health hazard at the establishment named on this form.	Check ONE box. <input checked="" type="checkbox"/> Current Employee <input type="checkbox"/> Representative of employees <input type="checkbox"/> Former employee, last date worked: <input type="checkbox"/> Other (specify):
Complainant Name:	LaTonya Moore Telephone: 313-671-2870
Signature:	e-signature checked Date: 6/21/2022 2:58:28 PM
Please indicate how you would like the results of your complaint to be sent to you. Mail results 15004 Detroit, MI 48205 Email: moorelatonya@yahoo.com	
If you are an authorized representative of employees affected by this complaint, please state the name of the organization that you represent and your title.	
Organization Name:	Your Title:
MIOSHA -7a (rev.12/20)	The Department of Labor and Economic Opportunity will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
Completion: Voluntary	

78. As a result of Moore's MIOSHA reporting Defendants were subject to a fine.

79. Based on Defendants' termination of Bonds & Rhodes, and his own experience and retaliation that he was being subjected to, it was clear to Plaintiff Atkins that Defendant Managers were upset and shocked that Moore had already made MIOSHA complaints and that she would also face harsh retaliation.

80. Indeed, shortly after Moore took a defiant stand against Defendants by telling them that she was going to report them to OSHA for continued violations of health and safety standards, rules, regulations, and laws, she was terminated.

**DEFENDANTS COVER UP THEIR VIOLATIONS OF HEALTH AND SAFETY STANDARDS, RULES,
REGULATIONS, AND LAWS**

81. On or about January 3, 2023, Moore filed her Whistleblowers' Action against Defendants.

82. Again, despite the filing of Moore's Whistleblowers' Action, Defendants continued business as usual to cut corners and operate under unsafe, unsanitary, and dangerous conditions that put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses.

83. After Moore was terminated, Defendants again scrambled to try and cover up these systemic violations and even attempted to falsify the facts on the ground.

84. When inspectors or representatives from Michigan's Licensing and Regulatory Affairs ("LARA"), the Joint Commission on Accreditation of Healthcare Organizations ("JCAHO"), MIOSHA, or other inspectors visited Harper Hutzell Hospital, Defendants worked together with Tenet/DMC to ensure the problem areas in the hospital were not disclosed to

inspectors, and Housekeeping staff were instructed to help put on a show of compliance when in reality, and inspectors were kept away from areas that would reveal problems.

85. Defendants knowingly allowed violations of safety rules, such as failing to follow safety protocols in safely handling blood pathogens.

**PLAINTIFF ATKINS BLOWS THE WHISTLE ON DEFENDANTS COMPASS/CROTHALL'S
CONTINUED HEALTH AND SAFETY VIOLATIONS**


86. On March 13, 2023, with first-hand knowledge that Defendants were still continuing to operate under unsafe, unsanitary, and dangerous conditions which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses, Plaintiff Atkins contacted MIOSHA and reported Defendants' continued violations of health and safety standards, rules, regulations, and laws.

87. Defendants' improper and shocking conduct at DMC Harper Hutzell reported by Plaintiff, includes, but is not limited to:

- a. Knowingly putting patients, employees, and visitors at risk of contracting life-threatening diseases;
- b. Knowingly violating safety rules and regulations for hospitals, promulgated by, among others, MIOSHA, Centers for Disease Control ("CDC"), Centers for Medicare & Medicaid Services ("CMS"), local municipalities and more;
- c. Conducting procedures and delivering babies in operating rooms with surgical equipment, beds, and rooms, which are not sterile as required, and failing to terminal clean;
- d. Knowingly falsifying employee training records and tests/certifications; and
- e. Falsifying safety rules and pledges.

88. Among other things, Plaintiff Atkins again complained about the lack of supplies and how Defendants were using unsanitary machinery and equipment that was contaminated by raw sewage and feces in surgical operating rooms:

Michigan Department of Labor and Economic Opportunity
Michigan Occupational Safety and Health Administration
www.michigan.gov/miosha



General Industry Safety and Health Construction Safety and Health

NOTICE OF ALLEGED SAFETY OR HEALTH HAZARDS

Complaint Number: _____

It is unlawful to make any false statement, representation or certification in any document filed pursuant to the Michigan Occupational Safety and Health Act of 1974, as amended. Violators can be punished by a fine of not more than \$10,000, or by imprisonment of not more than six months, or by both (Section 35(7)).

I have read the statement above and agree that the information I am submitting on this complaint is truthful and accurate to the best of my knowledge.

Establishment Name:	Crothall Healthcare		
Worksite Address: (Street, City, State, Zip)	3990 John R St Detroit, MI 48201		
	Site Phone:	313-966-1889	Site Fax:
Employer Mailing Address: (if different from worksite)			
	Mail Phone:		Mail Fax:
Management Official:	Teresa Thomas	Telephone:	313-500-8369
Type of Business:	Cleaning Company		

HAZARD DESCRIPTION/LOCATION: Briefly describe the hazards you believe exist. Include the approximate number of employees exposed to or threatened by each hazard. Specify the particular building or worksite where the alleged violation exists.

I am a Crothall employee. My name is Jerrell Atkins. I am an operations manager. I am sending this message because I am very concerned about the fact that we are still lacking proper machinery, staff, cleaning supplies, solutions and chemicals for our people to do the proper and necessary cleaning throughout the DMC hospital. Given this fact I believe that we are unable to properly perform contact, terminal, or cycle cleaning in the hospital operating and delivery rooms in order to meet the minimum required safety measures. No cleaning check ups are not in place, for example some hospitals use techniques and tools to determine if an area has been cleaned properly. For example on Thursday, December 15, 2022 there was a massive flood right outside of the environmental office where raw sewage and feces spewed out of the wall and onto the hospital floor in full view of the public. To remedy this problem workers used the t3 machines that are essentially to be used to clean OR's and delivery rooms which are supposed to be sterile. How can those OR's and delivery rooms be sterile when the machine used to clean those rooms was just used to clean up raw sewage and feces that are loaded with dangerous bacteria and other cross contaminants? These are serious concerns for patient safety and in my opinion also pose a safety concern for not only our people, but also the general public.

Has this condition been brought to the attention of:	<input checked="" type="checkbox"/> Employer <input type="checkbox"/> Other Government Agency (specify)		
Please indicate your desire:	<input type="checkbox"/> I do NOT want my name revealed to the employer. <input checked="" type="checkbox"/> I want my name revealed to the employer.		
The undersigned believes that a violation of an occupational safety or health standard exists which is a job safety or health hazard at the establishment named on this form.	Check ONE box. <input checked="" type="checkbox"/> Current Employee <input type="checkbox"/> Representative of employees <input type="checkbox"/> Former employee, last date worked: <input type="checkbox"/> Other (specify):		
Complainant Name:	Jerrell Atkins	Telephone:	313-506-6713
Signature:	e-signature checked	Date:	3/13/2023 10:45:59 PM
Please indicate how you would like the results of your complaint to be sent to you. Email results			
1915 West Fort St Apt 409 Detroit, MI 48216 Email: jerrellatkins1@aol.com			
If you are an authorized representative of employees affected by this complaint, please state the name of the organization that you represent and your title.			
Organization Name:	Crothall Healthcare	Your Title:	Operations Manager

MIOSHA -7a (rev. 12/20) The Department of Labor and Economic Opportunity will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

Completion: Voluntary

Remote IP Address: 107.122.241.81 Remote Host: 10.231.112.18

89. Further, Plaintiff Atkins also complained by using the compliance systems set up by Defendant and Tenet/DMC, including, but not limited to: convergent, fixit, ethics hotlines, etc.

90. Again, when inspectors visited Harper Hutzell Hospital, Defendants worked together with Tenet/DMC to ensure inspectors were kept away from areas that would reveal problems.

91. Defendants knowingly allowed violations of safety rules and acted as Tenet/DMC's protectors in order to avoid spending money to fix basic necessities such as safely handling blood pathogens.

**DEFENDANTS AMPLIFY THEIR RETALIATION AGAINST PLAINTIFF
FOLLOWING HIS OSHA COMPLAINTS**

92. After Plaintiff Atkins made this report to MIOSHA, he was transferred and removed from Harper-Hutzell Hospital and physically relocated to Children's Hospital of Michigan, another Tenet/DMC hospital.

93. However, Plaintiff Atkins house location was still designated as Harper-Hutzell Hospital under Account Number 51516, and Defendants intentionally failed to activate or transfer his electronic credentials such that Plaintiff Atkins was unable to fully and properly perform his job functions at the Children's Hospital of Michigan.

94. Then, Defendants began targeting and harassing Plaintiff Atkins regarding his job performance, by claiming that he was not meeting his expectations at Children's Hospital of Michigan.

95. Further, Plaintiff Atkins noticed that Defendant Managers' attitude towards him from after he complained of the safety violation and expressed his opinion that Defendants retaliated against Bonds & Rhodes to Defendants' attorney, went from bad to worse after he

reported Defendants' continued health and safety concerns to MIOSHA after Moore had been terminated.

96. Among other things, Defendant Managers failed to support Plaintiff Atkins in his management decisions thereby undermining his authority in front of his subordinates.

97. Plaintiff Atkins also complained to Defendants to no avail that he was being discriminated against and ridiculed by employees based on his race and that he was a homosexual and that his vehicle had been vandalized.

98. In fact, this retaliation also took the form of Defendants subjecting Plaintiff Atkins to a hostile work environment which, included but was not limited to:

- a. Subjecting Plaintiff Atkins to racially discriminatory and derogatory remarks and slurs by Defendant Leap and Defendants' other upper-level management wherein they would openly refer to African American employees as "N***ers" and "Monkeys" in Plaintiff's presence or near his proximity;
- b. Subjecting Plaintiff Atkins to sexually discriminatory and derogatory remarks and slurs by Defendant Leap and Defendants' other upper-level management wherein they would openly refer to homosexuals as "F*gs", *F***ots and "Homos" within earshot of Plaintiff; and
- c. Ridicule by employees based on him being a homosexual.

**PLAINTIFF IS TERMINATED FOR TESTIFYING AT A DEPOSITION REGARDING DEFENDANTS
HEALTH AND SAFETY VIOLATIONS AND UNLAWFUL CONDUCT**

99. On March 26, 2024, Plaintiff Atkins, pursuant to a notice to testify in the Bonds & Rhodes Federal Whistleblowers' Action, appeared for a deposition.

100. Despite already being subject to retaliation and his fear of losing his job, Plaintiff Atkins honestly, and bravely, testified against Defendants and provided compelling testimony that confirmed:

- a. Defendants' violations of health and safety standards, rules, regulations, and laws;

- b. Defendants' knowledge of their violations of health and safety standards, rules, regulations, and laws and their subsequent inaction;
- c. Defendants' retaliation against the Bonds, Rhodes, and Moore;
- d. His own personal reporting and complaints to Defendants of their known violations of health and safety standards, rules, regulations, and laws;
- e. The subsequent retaliation that he was subjected to for openly making such reports and complaints to Defendants of their known violations of health and safety standards, rules, regulations, and laws; and
- f. Defendants unlawful discrimination, hostile environment and retaliatory practices.

101. Plaintiff Atkins' fears were confirmed, as after his deposition testimony, Defendants intensified their already hostile work environment and would humiliate and embarrass Plaintiff.

102. Plaintiff Atkins tried to get Defendants to follow the rules and laws, to no avail.

103. Plaintiff Atkins made further complaints about patient safety concerns and violations of laws and safety rules.

104. However, these complaints fell on deaf ears, and instead were met with resistance and retaliation.

105. Plaintiff Atkins has endured multiple false accusations from Defendants in retaliation for:

- a. Reporting to Defendants and other public bodies unsafe, unsanitary, and dangerous conditions, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- b. Participating in an investigation and providing damning evidence against Defendants about the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;

- c. Complaining to MIOSHA about the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- d. Testifying against Defendants as to their knowledge of the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses; and
- e. Testifying against Defendants as to their unlawful discrimination, hostile environment and retaliatory practices.

106. Defendants used tactics to paint Plaintiff Atkins in a false light and began manipulating facts on the ground, and even threatened Plaintiff Atkins and other employees to falsify documentation in fear of losing their jobs.

107. Defendants began to nitpick and micromanage Plaintiff Atkins and discipline him for subjective violations and bypassed all progressive discipline in order to wrongfully terminate Plaintiff's employment.

108. On June 24, 2024, at approximately 10:27 AM, Plaintiff Atkins again raised concerns that he was being retaliated against in the workplace based on the deposition testimony he provided in March 2024 and also complained about hiring practices and employee fear and harassment. After expressing his concerns of retaliation, Plaintiff was wrongfully terminated under false pretenses.

109. Plaintiff contends that this retaliation was in direct response to Plaintiff's association with the Former Whistleblowers and because Plaintiff:

- a. Reported to Defendants and other public bodies unsafe, unsanitary, and dangerous conditions, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;

- b. Participated in an investigation and provided damning evidence against Defendants about the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- c. Complained to MIOSHA about the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- d. Testified against Defendants as to their knowledge of the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses; and
- e. Testified against Defendants as to their unlawful discrimination, hostile environment and retaliatory practices.

DEFENDANTS' REFUSE TO TURN OVER PLAINTIFFS' PERSONNEL RECORDS

110. Shortly after being terminated, Plaintiff Atkins contacted Defendants Compass/Crothall and requested his personnel records pursuant to the Bullard-Plawecki Employee Right to Know Act, MCL § 423.501, *et. seq.*, in order to obtain his complete personnel records.

111. MCL §423.510 defines "personnel record" as "a record kept by the employer that identifies the employee, to the extent that the record is used or has been used or may affect or be used relative to that employee's qualifications for employment, promotion, transfer, additional compensation, or disciplinary action."

112. Defendants refused Plaintiff's request.

113. Desperate to keep the investigation and information away from Plaintiff Atkins, Defendants sought and continue to seek to make false public statements about Plaintiff with regard to an "investigation" and "violations" while refusing to hand over any evidence thereof.

114. Defendants have also refused to turn over their investigation into Plaintiff's complaints about violations of health and safety standards, rules, regulations, and laws, lack of supplies, fraudulent documentation, false documentation, false training, violations of MIOSHA rules, violation of CMS rules, violations of CDC rules, violation of state laws, and other violations of regulations and standards.

115. As a result, Plaintiff was forced to file this instant action in order to obtain his personnel records pursuant to MCL § 423.501, *et seq.*

COUNT I
RETALIATION IN VIOLATION OF
MICHIGAN'S WHISTLEBLOWERS' PROTECTION ACT, MCL 15.361, et. seq
AGAINST DEFENDANTS COMPASS/CROTHALL

116. Plaintiff Atkins hereinafter incorporates by reference the above stated Paragraphs and allegations therein as though fully set forth herein.

117. At all times relevant herein, Plaintiff Atkins was an employee, and Defendants Compass/Crothall were his employers, covered by and within the meaning of Michigan's Whistleblowers' Protection Act, MCL 15.361 et. seq. (hereinafter the "WPA")

118. Pursuant to Michigan Administrative Code Rule 325.3825 (1), "[a] facility shall be planned, staffed, equipped, and operated with the individual patient's welfare and safety to be of paramount concern."

119. Pursuant to Michigan Administrative Code Rule 325.45277 Surgical Service; examination room; operating or procedure room. A facility that provides surgical services shall meet all the safety requirements.

120. Pursuant to Michigan Administrative Code Rules 325.45317, 325.45315, and other rules require patient areas in hospitals to be safe and clean.

121. Furthermore, there are various other state and federal regulations enforced by LARA, CMS, OSHA, Medicare, and Medicaid, intended to assure safe and healthy working conditions for workers, visitors, and patients.

122. Likewise, pursuant to the Michigan Patient Bill of Rights, which has been statutorily enumerated, a “patient or resident is entitled to receive adequate and appropriate care.” MCL 333.20201 (1)(e).

123. Upon information and belief, DMC is considered a public body as defined under the WPA.

124. Upon information and belief, MIOSHA is considered a public body as defined under the WPA.

125. At all times relevant herein, Plaintiff Atkins had the right under the WPA, not to be discharged, threatened, or otherwise discriminated against by Defendants regarding his compensation, terms, conditions, location, or privileges of employment because he reported and/or was about to report a violation or suspected violation of a law, regulation, or rule of the State of Michigan and opposed practices made illegal by the laws, regulations, or rules of the State of Michigan.

126. Plaintiff Atkins engaged in a protected activity under the WPA when he:

- a. Reported to Defendants and other public bodies unsafe, unsanitary, and dangerous conditions, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- b. Participated in an investigation and provided damning evidence against Defendants about the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- c. Complained to MIOSHA about the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital

visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;

- d. Testified against Defendants as to their knowledge of the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses; and
- e. Testified against Defendants as to their unlawful discrimination, hostile environment and retaliatory practices.

127. Defendants violated the Whistleblowers' Protection Act when they discriminated and retaliated against Plaintiff as described herein regarding the terms, benefits, conditions, and privileges of his employment because Plaintiff reported and was about to report a violation or suspected violation of a law, regulation, or rule of the State of Michigan and opposed practices made illegal by the laws, regulations, or rules of the State of Michigan, by among other things:

- a. Intimidating him in order to send him a message to stop speaking out against Defendants;
- b. Subjecting him to unjustified discipline, wherein Defendants falsely claimed that Plaintiff had allegedly violated company protocols, to which Plaintiff vehemently objected;
- c. Intentionally creating a false narrative in an attempt to portray Plaintiff as unprofessional;
- d. Falsifying Plaintiff's HR records by creating subjective violations using selective enforcement;
- e. Failing to honor their promise and refusing to give him his pay increase;
- f. Subjecting Plaintiff to a hostile work environment by Defendants throughout the course of his employment with Defendants wherein, among other things, Plaintiff was subjected to:
 - i. Racially discriminatory and derogatory remarks and slurs by Defendant Leap and Defendants' other upper-level management wherein they would openly refer to African American employees as "N***ers" and "Monkeys" in Plaintiff's presence or near his proximity;

ii. Sexually discriminatory and derogatory remarks and slurs by Defendant Leap and Defendants' other upper-level management wherein they would openly refer to homosexuals as "F*gs", *F***ots and "Homos" within earshot of Plaintiff; and

iii. Ridicule by employees based on Plaintiff being a homosexual.; and

g. Terminating his employment.

128. Defendants actions were intentional.

129. As a direct and proximate result of Defendants' unlawful actions, tortious conduct and other violations of law, Plaintiff Atkins has, and continues to sustain damages, including but not limited to:

a. Economic damages such as general damages, loss of earnings and earning capacity, loss of career opportunities, value of benefits and work-related investments, and out-of-pocket damages;

b. Special damages such as exemplary, compensatory, punitive, and/or treble damages in the form of non-economic damages, which include, but are not limited to loss of goodwill, harm to her business reputation, loss of standing in the medical and professional community, mental and emotional distress, loss of ordinary pleasures of life, loss of confidence, sleepless nights, loss of self-esteem and confidence, suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, shock, humiliation, shame, and embarrassment;

c. Exemplary damages such as compensatory, punitive, and/or treble damages for injury not capable of precise computation resulting from Defendant' malicious actions as further outlined and set forth above;

d. Consequential damages;

e. Incidental damages;

f. Applicable Statutory damages; and

g. Special damages and/or consequential damages in the form of costs and attorney fees.

WHEREFORE, Plaintiff hereby respectfully requests this Honorable Court enter a judgment in favor of Plaintiff and against Defendants, jointly and severally, in the total amount

found to be due and owing at the time of trial, in addition to exemplary, compensatory, punitive, and/or treble damages, plus court costs, statutory interest of twelve percent (12%) and actual attorney fees sustained in the case. Further, Plaintiff respectfully requests that this Honorable Court grant the following equitable relief:

- a. An order placing Plaintiff in the position he would have been in had there been no wrongdoing by Defendants, including reinstatement with back pay;
- b. An injunction prohibiting Defendants from engaging in any further acts of wrongdoing;
- c. An order requiring Defendants to immediately produce Plaintiff's unredacted personnel records in their entirety; and
- d. Any other such equitable relief as this Honorable Court deems just and equitable under the circumstances.

COUNT II
HOSTILE ENVIRONMENT IN VIOLATION OF
MICHIGAN'S ELLIOTT-LARSEN CIVIL RIGHTS ACT, MCL 37.2101, et seq
AGAINST ALL DEFENDANTS

130. Plaintiff Atkins hereinafter incorporates by reference the above stated Paragraphs and allegations therein as though fully set forth herein.

131. The Elliott-Larsen Civil Rights Act (ELCRA), MCL 37.2101 et. seq., prohibits discrimination in employment, public accommodations, educational institutions, and housing on the basis of race, sex, age, religion, national origin, height, weight, or marital status.

132. Plaintiff Atkins is an African American homosexual male.

133. At all times relevant herein, Plaintiff Atkins was an employee of Defendants Compass/Crothall within the meaning of the ELCRA.

134. At all times relevant herein, Defendants Compass/Crothall was Plaintiff Atkins' employer covered by and within the meaning of the ELCRA.

135. At all times relevant herein, Defendant Managers were employed by Defendants Compass/Crothall or were otherwise agents or representatives of Defendants Compass/Crothall as defined under the ELCRA.

136. Plaintiff Atkins engaged in an activity protected under the ELCRA when, as further outlined above, he:

- a. Reported to Defendants and other public bodies unsafe, unsanitary, and dangerous conditions, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- b. Participated in an investigation and provided damning evidence against Defendants about the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- c. Complained to MIOSHA about the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- d. Testified against Defendants as to their knowledge of the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses; and
- e. Testified against Defendants as to their unlawful discrimination, hostile environment and retaliatory practices.

137. Defendants were well aware that Plaintiff Atkins was engaging in protected activities.

138. As a direct result, Defendants discriminated and retaliated against Plaintiff Atkins by subjecting him to a hostile work environment throughout the course of his employment, which included but was not limited to:

- a. Subjecting Plaintiff Atkins to racially discriminatory and derogatory remarks and slurs by Defendant Leap and Defendants' other upper-level management wherein

they would openly refer to African American employees as “N***ers” and “Monkeys” in Plaintiff’s presence or near his proximity;

- b. Subjecting Plaintiff Atkins to sexually discriminatory and derogatory remarks and slurs by Defendant Leap and Defendants’ other upper-level management wherein they would openly refer to homosexuals as “F*gs”, *F***ots and “Homos” within earshot of Plaintiff; and
- c. Ridicule by employees based on Plaintiff being a homosexual.

139. As stated above, the hostile work environment was reported to Defendants, who by and through their actions, or lack thereof, condoned and sanctioned the hostile work environment to which Plaintiff was continually subjected.

140. The hostile work environment to which Plaintiff Atkins was subjected included, but was not limited to, grossly unwelcomed comments and extreme offensive actions perpetrated by Defendants as described above, which contributed to the creation of a hostile work environment.

141. The actions and conduct of Defendants Compass/Crothall, by and through Defendant Managers, and others constitute a hostile work environment that was created intentionally in violation of MCL 37.201.

142. As a direct and proximate result of Defendants’ unlawful actions, tortious conduct and other violations of law, Plaintiff Atkins has, and continues to sustain damages, including but not limited to:

- a. Economic damages such as general damages, loss of earnings and earning capacity, loss of career opportunities, value of benefits and work-related investments, and out-of-pocket damages;
- b. Special damages such as exemplary, compensatory, punitive, and/or treble damages in the form of non-economic damages, which include, but are not limited to loss of goodwill, harm to her business reputation, loss of standing in the medical and professional community, mental and emotional distress, loss of ordinary pleasures of life, loss of confidence, sleepless nights, loss of self-

esteem and confidence, suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, shock, humiliation, shame, and embarrassment;

- c. Exemplary damages such as compensatory, punitive, and/or treble damages for injury not capable of precise computation resulting from Defendant' malicious actions as further outlined and set forth above;
- d. Consequential damages;
- e. Incidental damages;
- f. Applicable Statutory damages; and
- g. Special damages and/or consequential damages in the form of costs and attorney fees.

WHEREFORE, Plaintiff hereby respectfully requests this Honorable Court enter a judgment in favor of Plaintiff and against Defendants, jointly and severally, in the total amount found to be due and owing at the time of trial, in addition to exemplary, compensatory, punitive, and/or treble damages, plus court costs, statutory interest of twelve percent (12%) and actual attorney fees sustained in the case. Further, Plaintiff respectfully requests that this Honorable Court grant the following equitable relief:

- a. An order placing Plaintiff in the position he would have been in had there been no wrongdoing by Defendants, including reinstatement with back pay;
- b. An injunction prohibiting Defendants from engaging in any further acts of wrongdoing;
- c. An order requiring Defendants to immediately produce Plaintiff's unredacted personnel records in their entirety; and
- d. Any other such equitable relief as this Honorable Court deems just and equitable under the circumstances.

COUNT III
RETALIATION IN VIOLATION OF
MICHIGAN'S ELLIOTT-LARSEN CIVIL RIGHTS ACT, MCL 37.2101, et seq
AGAINST ALL DEFENDANTS

143. Plaintiff Atkins hereinafter incorporates by reference the above stated Paragraphs and allegations therein as though fully set forth herein.

144. At all times relevant herein, Plaintiff Atkins was an employee of Defendants Compass/Crothall within the meaning of the ELCRA.

145. At all times relevant herein, Defendants Compass/Crothall was Plaintiff Atkins employer covered by and within the meaning of the ELCRA.

146. At all times relevant herein, Defendant Managers were employed by Defendants Compass/Crothall or were otherwise agents or representatives of Defendants Compass/Crothall as defined under the ELCRA.

147. The ELCRA prohibits retaliation against any person because the person has opposed a violation of law under the ELCRA, or because the person has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under the ELCRA. MCL 37.2701(a).

148. Plaintiff Atkins engaged in an activity protected under the ELCRA when, as further outlined above, he:

- a. Reported to Defendants and other public bodies unsafe, unsanitary, and dangerous conditions which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- b. Participated in an investigation and provided damning evidence against Defendants about the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;

- c. Complained to MIOSHA about the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses;
- d. Testified against Defendants as to their knowledge of the dangerous conditions that Defendants sanctioned and allowed to persist, which put hospital patients, hospital visitors, employees, and the public at risk of contracting infections, diseases, and illnesses; and
- e. Testified against Defendants as to their unlawful discrimination, hostile environment and retaliatory practices.

149. Defendants were well aware that Plaintiff Atkins was engaging in protected activities.

150. After Plaintiff engaged in his protective activity as outlined above, Defendants retaliated against him through employment actions that adversely affected the terms and conditions of his employment by among other things:

- a. Intimidating him in order to send him a message to stop speaking out against Defendants;
- b. Subjecting him to unjustified discipline, wherein Defendants falsely claimed that Plaintiff had allegedly violated company protocols, to which Plaintiff vehemently objected;
- c. Intentionally creating a false narrative in an attempt to portray Plaintiff as unprofessional;
- d. Falsifying Plaintiff's HR records by creating subjective violations using selective enforcement;
- e. Failing to honor their promise and refusing to give him his pay increase;
- f. Subjecting Plaintiff to a hostile work environment by Defendants throughout the course of his employment with Defendants wherein, among other things, Plaintiff was subjected to:
 - i. Racially discriminatory and derogatory remarks and slurs by Defendant Leap and Defendants' other upper-level management wherein they would openly refer to African American employees as "N***ers" and "Monkeys" in Plaintiff's presence or near his proximity;

- ii. Sexually discriminatory and derogatory remarks and slurs by Defendant Leap and Defendants' other upper-level management wherein they would openly refer to homosexuals as "F*gs", *F***ots and "Homos" within earshot of Plaintiff; and
- iii. Ridicule by employees based on Plaintiff being a homosexual.; and
- g. Terminating his employment.

151. As a direct and proximate result of Defendants' unlawful actions, tortious conduct and other violations of law, Plaintiff Atkins has, and continues to sustain damages, including but not limited to:

- a. Economic damages such as general damages, loss of earnings and earning capacity, loss of career opportunities, value of benefits and work-related investments, and out-of-pocket damages;
- b. Special damages such as exemplary, compensatory, punitive, and/or treble damages in the form of non-economic damages, which include, but are not limited to loss of goodwill, harm to her business reputation, loss of standing in the medical and professional community, mental and emotional distress, loss of ordinary pleasures of life, loss of confidence, sleepless nights, loss of self-esteem and confidence, suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, shock, humiliation, shame, and embarrassment;
- c. Exemplary damages such as compensatory, punitive, and/or treble damages for injury not capable of precise computation resulting from Defendant' malicious actions as further outlined and set forth above;
- d. Consequential damages;
- e. Incidental damages;
- f. Applicable Statutory damages; and
- g. Special damages and/or consequential damages in the form of costs and attorney fees.

WHEREFORE, Plaintiff hereby respectfully requests this Honorable Court enter a judgment in favor of Plaintiff and against Defendants, jointly and severally, in the total amount

found to be due and owing at the time of trial, in addition to exemplary, compensatory, punitive, and/or treble damages, plus court costs, statutory interest of twelve percent (12%) and actual attorney fees sustained in the case. Further, Plaintiff respectfully requests that this Honorable Court grant the following equitable relief:

- a. An order placing Plaintiff in the position he would have been in had there been no wrongdoing by Defendants, including reinstatement with back pay;
- b. An injunction prohibiting Defendants from engaging in any further acts of wrongdoing;
- c. An order requiring Defendants to immediately produce Plaintiff's unredacted personnel records in their entirety; and
- d. Any other such equitable relief as this Honorable Court deems just and equitable under the circumstances.

COUNT IV
VIOLATIONS OF MICHIGAN'S BULLARD-PLAWECKI
EMPLOYEE RIGHT TO KNOW ACT, MCL § 423.501, et. seq.,
AGAINST DEFENDANTS COMPASS/CROTHALL

152. Plaintiff Atkins hereinafter incorporates by reference the above stated Paragraphs and allegations therein as though fully set forth herein.

153. At all times material hereto, Plaintiff was an employee and Defendants Crothall/Compass was an employer covered by and within the meaning of the Bullard-Plawecki Employee Right to Know Act, MCL § 423.501, *et. seq.*

154. The primary purpose of the Bullard-Plawecki Employee Right to Know Act ("the Act") is to establish an employee's right to examine his personnel records, i.e., "the documents that are being kept by the employer concerning that employee."

155. Per the Act, "Employer" means an individual, corporation, partnership, labor organization, unincorporated association, the state, or an agency or a political subdivision of

the state, or any other legal, business, or commercial entity which has 4 or more employees and includes an agent of the employer. MCL § 423.501(2)(b).

156. Per the Act, "Personnel record" means a record kept by the employer that identifies the employee to the extent that the record is used or has been used or may affect or be used relative to that employee's qualifications for employment, promotion, transfer, additional compensation, or disciplinary action. MCL § 423.501(2)(c).

157. Plaintiff repeatedly requested, but was denied by Defendants, access to a complete copy of his employment records.

158. To date, Defendants and its employees continue to willfully fail and/or refuse to comply with the Act and Plaintiff's demand for a complete copy of his personnel record(s).

159. Defendants' intentional noncompliance with the Act threatens grave and irreparable harm to Plaintiff's reputation, future employment opportunities and his legal rights.

160. As a direct and proximate result of Defendants' unlawful actions, tortious conduct and other violations of law, Plaintiff Atkins has, and continues to sustain damages, including but not limited to:

- a. Economic damages such as general damages, loss of earnings and earning capacity, loss of career opportunities, value of benefits and work-related investments, and out-of-pocket damages;
- b. Special damages such as exemplary, compensatory, punitive, and/or treble damages in the form of non-economic damages, which include, but are not limited to loss of goodwill, harm to her business reputation, loss of standing in the medical and professional community, mental and emotional distress, loss of ordinary pleasures of life, loss of confidence, sleepless nights, loss of self-esteem and confidence, suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, shock, humiliation, shame, and embarrassment;

- c. Exemplary damages such as compensatory, punitive, and/or treble damages for injury not capable of precise computation resulting from Defendant' malicious actions as further outlined and set forth above;
- d. Consequential damages;
- e. Incidental damages;
- f. Applicable Statutory damages; and
- g. Special damages and/or consequential damages in the form of costs and attorney fees.

WHEREFORE, Plaintiff hereby respectfully requests this Honorable Court enter a judgment in favor of Plaintiff and against Defendants, jointly and severally, in the total amount found to be due and owing at the time of trial, in addition to exemplary, compensatory, punitive, and/or treble damages, plus court costs, statutory interest of twelve percent (12%) and actual attorney fees sustained in the case. Further, Plaintiff respectfully requests that this Honorable Court grant the following equitable relief:

- a. An order placing Plaintiff in the position he would have been in had there been no wrongdoing by Defendants, including reinstatement with back pay;
- b. An injunction prohibiting Defendants from engaging in any further acts of wrongdoing;
- c. An order requiring Defendants to immediately produce Plaintiff's unredacted personnel records in their entirety; and
- d. Any other such equitable relief as this Honorable Court deems just and equitable under the circumstances.

COUNT V
WRONGFUL DISCHARGE IN VIOLATION OF MICHIGAN'S PUBLIC POLICY
AGAINST DEFENDANTS COMPASS/CROTHALL

161. Plaintiff Atkins hereinafter incorporates by reference the above stated Paragraphs and allegations therein as though fully set forth herein.

162. Pursuant to Michigan law pertaining to public policy exceptions to an employee's at-will employment status, or other status, an employer cannot discharge and/or take adverse employment action(s) against an employee for the following reasons:

- a. Where explicit legislative statements prohibit the discharge, or other adverse treatment of employees; and/or
- b. Where the reason for the discharge was the employee's exercise of a right conferred by well-established legislative enactment.

163. At all times relevant herein, Plaintiff Atkins was an employee and Defendants Compass/Crothall were his employers.

164. JCAHO maintains non-retaliation provisions, which prohibit adverse employment decisions based on an employee's good faith reporting of a concern about compliance with policy or legal requirements, including but not limited to employee and patient safety and staffing.

165. MIOSHA's general duty clause requires employers to provide employees with "employment and a place of employment that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to employees." MIOSHA prohibits retaliation against employees who report safety hazards.

166. MCL 333.20176a prohibits an employer from retaliating against an employee who reports malpractice and/or patient neglect or unsafe patient conditions.

167. Mich. Admin. Code R 325.45277, R 325.45277, Surgical service; examination room; operating or procedure room require proper sanitization.

168. 29 C.F.R. § 1910.502, § 1910.502 Healthcare. Requires safety precautions for employees and patients violated by Defendants.

169. MCL 24.233, 24.244, or 24.245a, provides rules adopted to ensure that hospitals provide safe operations to the public, and Defendants violated these rules and regulations at the direction of its management and its primary contractor Tenet/Harper Hospital.

170. Plaintiff engaged in internal and external complaints, which encompassed patient and employee well-being and safety, as well as Defendants' neglect toward patients and employees at DMC Hospitals.

171. Defendants Compass/Crothall, by and through Defendant Managers and other employees, violated the public policy of the State of Michigan as outlined above.

172. Plaintiff Atkins refused to violate these policies and reported the actions of Defendant Managers and other certain agents, servants, or employees to Defendants Compass/Crothall, MIOSHA and Tenet/DMC.

173. In direct response, Defendants Compass/Crothall fired Plaintiff in whole or in part for refusing or failing to violate the public policy of the State of Michigan, outlined above, and for reporting Defendant Managers' actions to Defendants Compass/Crothall, MIOSHA and Tenet/DMC.

174. As a direct and proximate result of Defendants' unlawful actions, tortious conduct and other violations of law, Plaintiff Atkins has, and continues to sustain damages, including but not limited to:

- a. Economic damages such as general damages, loss of earnings and earning capacity, loss of career opportunities, value of benefits and work-related investments, and out-of-pocket damages;
- b. Special damages such as exemplary, compensatory, punitive, and/or treble damages in the form of non-economic damages, which include, but are not limited to loss of goodwill, harm to her business reputation, loss of standing in the medical and professional community, mental and emotional distress, loss of ordinary pleasures of life, loss of confidence, sleepless nights, loss of self-

esteem and confidence, suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, shock, humiliation, shame, and embarrassment;

- c. Exemplary damages such as compensatory, punitive, and/or treble damages for injury not capable of precise computation resulting from Defendant' malicious actions as further outlined and set forth above;
- d. Consequential damages;
- e. Incidental damages;
- f. Applicable Statutory damages; and
- g. Special damages and/or consequential damages in the form of costs and attorney fees.

WHEREFORE, Plaintiff hereby respectfully requests this Honorable Court enter a judgment in favor of Plaintiff and against Defendants, jointly and severally, in the total amount found to be due and owing at the time of trial, in addition to exemplary, compensatory, punitive, and/or treble damages, plus court costs, statutory interest of twelve percent (12%) and actual attorney fees sustained in the case. Further, Plaintiff respectfully requests that this Honorable Court grant the following equitable relief:

- a. An order placing Plaintiff in the position he would have been in had there been no wrongdoing by Defendants, including reinstatement with back pay;
- b. An injunction prohibiting Defendants from engaging in any further acts of wrongdoing;
- c. An order requiring Defendants to immediately produce Plaintiff's unredacted personnel records in their entirety; and
- d. Any other such equitable relief as this Honorable Court deems just and equitable under the circumstances.

COUNT VI
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AGAINST ALL DEFENDANTS

175. Plaintiff Atkins hereinafter incorporates by reference the above stated Paragraphs and allegations therein as though fully set forth herein.

176. Defendants' actions and conduct were extreme and outrageous in that they exceeded all possible bounds of decency and would be regarded as intolerable in a civilized society.

177. Defendants knew that Plaintiff Atkins was particularly vulnerable, due in part to the position of power that Defendants held over him as his employers, and that their conduct would result in harm due to emotional and mental distress.

178. Defendants also knew that Plaintiff Atkins was particularly vulnerable, due in part to the known high number of layoffs in the healthcare sector, thus Defendants knew that Plaintiff would have difficulty finding a new healthcare job.

179. As a direct and proximate result of Defendants' unlawful actions against Plaintiff Atkins as further described herein, Plaintiff has sustained, and continues to sustain, mental and emotional distress damages including, but not limited to, loss of ordinary pleasures of life, loss of confidence, sleepless nights, loss of self-esteem and confidence, suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, shock, humiliation, shame, and embarrassment.

180. Defendants' conduct was a substantial factor in causing Plaintiff's severe emotional distress.

181. As a direct and proximate result of Defendants' unlawful actions, tortious conduct and other violations of law, Plaintiff Atkins has, and continues to sustain damages, including but not limited to:

- a. Economic damages such as general damages, loss of earnings and earning capacity, loss of career opportunities, value of benefits and work-related investments, and out-of-pocket damages;
- b. Special damages such as exemplary, compensatory, punitive, and/or treble damages in the form of non-economic damages, which include, but are not limited to loss of goodwill, harm to her business reputation, loss of standing in the medical and professional community, mental and emotional distress, loss of ordinary pleasures of life, loss of confidence, sleepless nights, loss of self-esteem and confidence, suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, shock, humiliation, shame, and embarrassment;
- c. Exemplary damages such as compensatory, punitive, and/or treble damages for injury not capable of precise computation resulting from Defendant' malicious actions as further outlined and set forth above;
- d. Consequential damages;
- e. Incidental damages;
- f. Applicable Statutory damages; and
- g. Special damages and/or consequential damages in the form of costs and attorney fees.

WHEREFORE, Plaintiff hereby respectfully requests this Honorable Court enter a judgment in favor of Plaintiff and against Defendants, jointly and severally, in the total amount found to be due and owing at the time of trial, in addition to exemplary, compensatory, punitive, and/or treble damages, plus court costs, statutory interest of twelve percent (12%) and actual attorney fees sustained in the case. Further, Plaintiff respectfully requests that this Honorable Court grant the following equitable relief:

- e. An order placing Plaintiff in the position he would have been in had there been no wrongdoing by Defendants, including reinstatement with back pay;
- f. An injunction prohibiting Defendants from engaging in any further acts of wrongdoing;
- g. An order requiring Defendants to immediately produce Plaintiff's unredacted personnel records in their entirety; and

- h. Any other such equitable relief as this Honorable Court deems just and equitable under the circumstances.

Respectfully Submitted,

/s/ Muneeb M. Ahmad
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Dated: September 20, 2024.

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

JERRELL ANTHONY ATKINS, *an individual*,

Plaintiff,

Case No.: 2024-_____CD

Honorable

vs

COMPASS GROUP USA, INC.,
a foreign for-profit corporation,
CROTHALL HEALTHCARE,
a foreign for-profit corporation,
TRAVIS LEAP, an individual,
TERESA THOMAS, an individual, and
KIMBERLY MULLINS, an individual,
Jointly and severally,

Defendants.

MUNEEB M. AHMAD (P70391) SYED HUSSAIN AKBAR (P67967) AHMAD &AKBAR LAW, PLLC Attorneys for Plaintiff 811 N. Main Street, Suite 106 Royal Oak, MI 48067-1825 Tel. (248) 519-2313 /Fax: (248) 519-2399	
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JURY DEMAND

NOW COMES Plaintiff JERRELL ATKINS and, by and through his undersigned counsel, AHMAD & AKBAR LAW, PLLC, d/b/a JUST RIGHT LAW, and for his Complaint against Defendants COMPASS GROUP U.S.A., INC, a foreign for-profit corporation, CROTHALL HEALTHCARE, a foreign for-profit corporation, TRAVIS LEAP, an individual, TERESA THOMAS, an Individual, and KIMBERLY MULLINS, an Individual, hereby demands a Trial by Jury of the above-referenced cause of action.

Respectfully Submitted,

/s/ Muneeb M. Ahmad

AHMAD & AKBAR LAW, PLLC

Muneeb M. Ahmad (P70391)

Attorneys for Plaintiff

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Dated: September 20, 2024.